



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: YU *et al.*

Application Serial No.: 09/246,129

Group Art Unit: 1646

Filed: February 8, 1999

Examiner: Draper G.

For: TUMOR NECROSIS FACTOR-GAMMA

Atty. Docket No.: PF141P4

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.97(b)

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of an claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references AA-AZ listed on the attached Form PTO 1449.

No copies of references AA-AZ are enclosed as copies were previously submitted by Applicants or provided by the Examiner in copending U.S. Patent Application Serial No. 09/131,237, filed August 7, 1998, and related U.S. Patent Application Serial No. 08/461,246, filed June 5, 1995, now abandoned.

Applicants also wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding cDNA clone of the captioned application are related to:

- (a) SEQ ID NO:1435 in copending U.S. Patent Application Serial No. 08/345,704;
- (b) SEQ ID NO:10766 in copending U.S. Patent Application Serial No. 08/276,163;
- (c) SEQ ID NO:9821 in copending U.S. Patent Application Serial No. 08/798,074;
- (d) SEQ ID NO:2691 in copending U.S. Patent Application Serial No. 08/976,343;
- (e) SEQ ID NO:2222 in copending U.S. Patent Application Serial No. 08/196,363; and
- (f) SEQ ID NO:603 in copending U.S. Patent Application Serial No. 08/401,881.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. §§ 1.104(a) and 1.106(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed references is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Human Genome Science, Inc., deposit account no. 08-3425. A copy of this sheet is enclosed.

Respectfully submitted,

Date: 10/29/99


Joseph J. Kenny (Reg. No. 43,710)
Agent for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
Telephone: (301) 610-5800

KKH/JJK/lcc
Enclosures